

LAND RECLAMATION COMMISSION

STATE OF MISSOURI

P.O. BOX 176

JEFFERSON CITY, MISSOURI 65102

573-751-4041

Permit To Engage in Surface Mining

LAND RECLAMATION COMMISSION

ISSUES TO
KELLY LIMESTONE, L.L.C.

Pursuant to "The Land Reclamation Act," RSMo, 2001, and on conformity with the statements

In the application, a permit is hereby granted to engage in surface mining of
limestone in the state of Missouri. The extent of the


Proposed mining operation(s) will be on 70 acres, more or less.

The locations of the operation(s) under this permit is/are as follows: **Renewal**

County	Section	Township	Range	Acres Renewed	Acres New	Total Acres	Site/Stream Name	Site Number
Knox	26	60N	10W	70	0	70	Site #1	0273

This permit may be suspended or revoked upon violation of any or all of the conditions set forth in "The Land Reclamation Act," RSMo. 2001, or in such rules and regulations as are promulgated pursuant thereto by the Land Reclamation Commission.

IN WITNESS WHEREOF I have hereunto set my hand this 13th day of August 2004


DIRECTOR OF STAFF
Land Reclamation Commission

Permit No. 0169

Effective Date 08/13/2004

Expiration Date 08/06/2005

MO 780-1122 (6-95)

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AUG 2 2004



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION

PERMIT RENEWAL FOR INDUSTRIAL MINERAL MINES MISSOURI LAND
RECLAMATION COMMISSION

P.O. BOX 176
JEFFERSON CITY, MO 65102-0176

NAME OF CORPORATION, COMPANY, PARTNERSHIP OR INDIVIDUAL <i>Kelly Limestone LLC</i>		DATE <i>7-28-04</i>	
ADDRESS <i>PO Box 725</i>	CITY <i>Kirksville</i>	STATE <i>MO</i>	ZIP CODE <i>63501</i>
CONTACT PERSON <i>Doug Kelly</i>		TELEPHONE NUMBER <i>660-627-5500</i>	

FEES: COMPLETE SECTION I OR SECTION II

SECTION I. Fees: Open pit operators and those mining more than 5,000 tons of sand and/or gravel:

1. To compute the site fee complete the information below:

SITE NAME OR NUMBER (add a separate sheet for additional sites)	Mark each month that the site will be operated during the permit year	For sites operated less than six months per permit year pay \$150 For sites operated six months or more per permit year pay \$300
1.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
2.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
3.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
4.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
5.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
6.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
7.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
8.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
9.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
10.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
TOTAL SITE FEE		\$ <i>300</i>

2. Acreage Fee \$5 X *70* number of acres bonded \$ *350*

3. Annual Permit Fee \$ *500*

4. Total Fee (Add totals from 1, 2 and 3) \$ *1150*

NOTE: If Total Fee exceeds \$2,500.00 then pay only \$ *2,500*

SECTION II. FEES: Sand or gravel operators mining less than 5,000 tons per year:

1. Annual Permit Fee \$ *300*

SIGNATURE OF APPLICANT <i>Doug Kelly</i>	TITLE <i>owner/member</i>	DATE <i>7-28-04</i>
Appeared before me this <i>29th</i> day of <i>July</i> , 20 <i>04</i> . to me personally known, who executed the above as their free acts and deeds.		

	STATE OF <i>Missouri</i>	COUNTY (OR CITY OF ST. LOUIS) <i>Adair</i>
	SUBSCRIBED AND SWORN BEFORE ME, THIS <i>29th</i> DAY OF <i>July</i> YEAR <i>2004</i>	
	NOTARY PUBLIC SIGNATURE <i>Sandra L. Devlin</i>	MY COMMISSION EXPIRES <i>12-09-07</i>
	NOTARY PUBLIC NAME (TYPED OR PRINTED) <i>Sandra L. Devlin</i>	
FOR DEPARTMENT USE ONLY: APPROVED BY <i>[Signature]</i>		DATE APPROVED <i>8-17-04</i>
		PERMIT NUMBER <i>0169</i>
		EXPIRATION DATE <i>8-6-05</i>

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MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION
SITE INFORMATION FORMMISSOURI LAND
RECLAMATION COMMISSION

To be completed for each separate area of disturbance associated with mining operations.

SITE NAME OR NUMBER Kelly Lime & Rock Co., Inc.		PERMIT NUMBER 169
COMPANY NAME Kelly Lime & Rock Co., INC.		
COUNTY Knox	1/4 SECTION NE	SECTION 26
TOWNSHIP 60 N	RANGE 10 W	ACRES 77 (103 Long term MD)
RIVER OR STREAM NAME (FOR IN-STREAM ACRES) None		
MINERAL COMMODITY Limestone		ESTIMATED TONS/YEAR (FOR GRAVEL SITES) NA

NAME OF LANDOWNER (ATTACH LIST IF MORE THAN ONE) O.M. Johnston III		
ADDRESS RR		
CITY Newark	STATE MO	ZIP CODE 63458
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE):		<input checked="" type="checkbox"/> LEASE <input type="checkbox"/> VERBAL AGREEMENT DATE OF AGREEMENT Sept. 1, 1980 rewrite

MINERAL RIGHTS OWNER (ATTACH LIST IF MORE THAN ONE) Kelly Lime & Rock Co., Inc.		
ADDRESS P.O. Box 56		
CITY Newark	STATE MO	ZIP CODE 63458
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE):		<input checked="" type="checkbox"/> LEASE <input type="checkbox"/> VERBAL AGREEMENT DATE OF AGREEMENT Sept. 1, 1980 rewrite
NOTE: Each site must be shown on a map and be included in a public notice and an approved mine plan.		

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MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION
MINE PLANMISSOURI LAND P.O. BOX 176
RECLAMATION COMMISSION JEFFERSON CITY, MO 65102

TYPE OF PLAN (CHECK ONE):

☐ SHORT TERM, FOR ONE PERMIT YEAR

COMPANY NAME

Kelly Lime & Rock Co., Inc.

☒ LONG TERM, FOR PERIOD THROUGH DATE Jan. 1998 thru Jan. 2008

DESCRIPTION OF SITE PRIOR TO LAND RECLAMATION COMMISSION PERMITTING (BY APPLICANT OR PRIOR OPERATOR), INCLUDING SOIL, VEGETATION AND TOPOGRAPHY.

This plan covers an area of approximately 103 acres. Most of the mine area lies in an area which is steeply sloped pasture and partially wooded area.

OPERATION PLAN - 10 CSR 40-10.020(2)(D)1.

A. TOPSOIL

AVERAGE DEPTH OF TOPSOIL PRIOR TO LAND RECLAMATION COMMISSION PERMITTING

12

INCHES

IS TOPSOIL TO BE SOLD OR DISCARDED OFFSITE?

☐ YES OR ☒ NO

DESCRIBE METHODS AND EQUIPMENT USED FOR TOPSOIL REMOVAL

Top 12 inches of soil will be stockpiled or used for reclamation purposes.

DESCRIBE METHODS AND EQUIPMENT USED FOR TOPSOIL STORAGE AND PROTECTION

We will place the topsoil in stockpiles or used in reclamation and seeded.

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DESCRIBE METHODS AND LOCATION OF SPOIL PLACEMENT AND DISPOSAL

MISSOURI LAND
RECLAMATION COMMISSION

All overburden removed from the pit will be placed in the mined out portions or adjoining area of the pit and graded to transversable slopes before topsoil is replaced.

C. ACID MATERIALS

DESCRIBE METHODS AND EQUIPMENT USED FOR HANDLING ACID MATERIALS (IF NONE IS ANTICIPATED, WRITE "NONE" BELOW)

NA

D. PIT INFORMATION (GIVE ALL DIMENSIONS IN FEET)

DESCRIBE LOCATION AND ORIENTATION OF PIT, IF NOT CLEAR ON SITE MAPS

See map #2 enclosed green area

YES NO

☐☒

Will any excavation be at or within fifty feet (50') of the right-of-way of any public road?

☐☒

Will any highwall consisting of unconsolidated materials be left within fifty feet of the right-of-way of any public road? (NOTE: For unconsolidated materials left in place, a slope of no more than forty degrees may start near the right of way, and in no case may the excavation be closer to the right of way than fifty feet or twenty-five feet plus one and one-half (1-½) times the depth of unconsolidated material, whichever is greater, unless a variance is granted by the Commission.)

☐☒

Will any excavation start at or within fifty feet (50') of any property line?
(NOTE: If the answer is "yes", a safety barrier may be needed.)

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RECLAMATION PLAN - 10 CSR 40-10.020(2)(D)2.

MISSOURI LAND

A. REVEGETATION (Attach additional sheets, if needed)

RECLAMATION COMMISSION

REVEGETATION MIX #1

PURPOSE OR LAND USE

B. SEEDING OR PLANTING TIME

#1

pasture

Feb. 1 to June 31

DESCRIBE METHODS AND EQUIPMENT TO BE USED FOR SEEDING OR PLANTING

During the first Spring following topsoil replacement the seed mix will be broadcast with 20 lbs. of oats and harrowed.

Lime and fertilizer will be applied according to recommendations made, based on an analysis of soil texture and nutrients. Mulch will be applied to all slopes exceeding 5:1.

SEEDING SPECIES	POUNDS/ACRE	TREE OR SHRUB SPECIES	STEMS/ACRE
Orchard Grass	8	none	none
Smooth brome	8	none	none
Red Clover	2	none	none

REVEGETATION MIX #2

PURPOSE OR LAND USE

B. SEEDING OR PLANTING TIME

#2

wildlife

Feb. 1 to June 31

DESCRIBE METHODS AND EQUIPMENT TO BE USED FOR SEEDING OR PLANTING

During the first Spring following topsoil replacement the seed mix will be broadcast with 20 lbs. of oats and harrowed. Then trees will be hand planted.

Lime and fertilizer will be applied according to recommendations made, based on an analysis of soil texture and nutrients. Mulch will be applied to all slopes exceeding 5:1.

SEEDING SPECIES	POUNDS/ACRE	TREE OR SHRUB SPECIES	STEMS/ACRE
Orchard Grass	8	Native White oak	500
Red Clover	2	Red oak	
Smooth brome	8	Wild plum	
		Grey dogwood	
		hazelnut	
		Service berry	
		Gooseberry	
		Blackberry	

ATTACH ADDITIONAL SHEETS FOR ADDITIONAL SEED MIXES.

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B. GRADING

DESCRIBE PROPOSED RECLAIMED TOPOGRAPHY, INCLUDING SLOPES

All spoil area will be graded to slopes transversable by farm machinery.

C. DESCRIBE THE GENERAL SEQUENCE AND TIMING OF THE FOLLOWING ACTIVITIES**GRADING**

Grading will be done as the pit advances. Final grading will be completed within one year after completion of mining.

REPLACEMENT OF TOPSOIL

Topsoil will be laid down within one year after each area is final graded. Topsoil will be replaced to a uniform depth of 12 inches.

REVEGETATION

All topsoiled areas will be seeded during the frist spring following topsoil replacement

AVERAGE DEPTH OF REPLACED TOPSOIL (INCHES)

12"

D. USE OF LAND WHEN RECLAIMED**ESTIMATED ACRES:**

Estimate acreage of each land use below, after reclamation

Wildlife (forest or other habitat with livestock excluded)

22 2-11-98

Agricultural (pasture, cropland, and horticultural)

1848 as per phone conversation

Development (residential, industrial, and recreational)

0 RD

Water impoundments (for wildlife, agricultural, or development)

853

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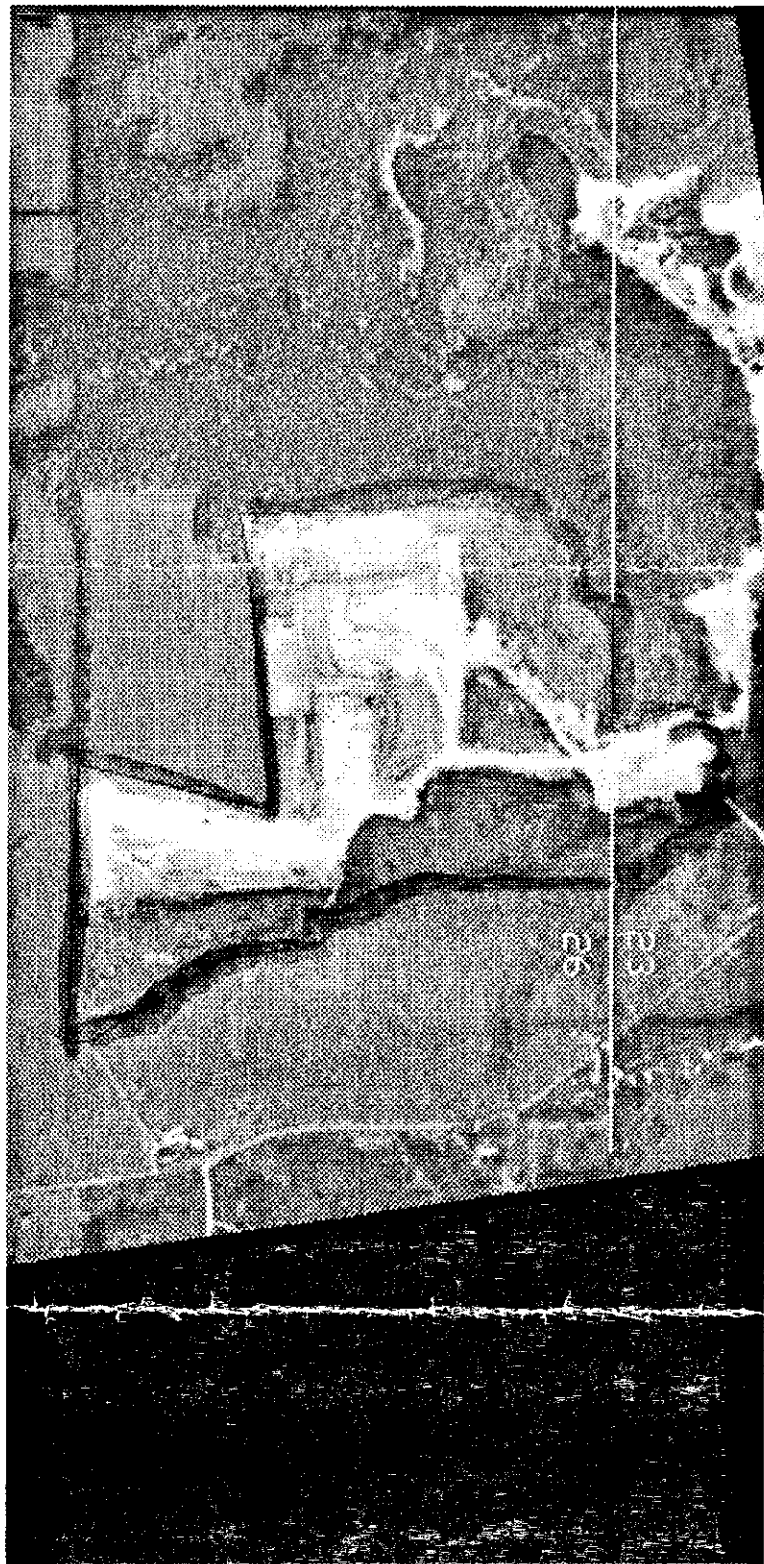
MISSOURI LAND RECLAMATION COMMISSION

By my signature, I attest to the following:

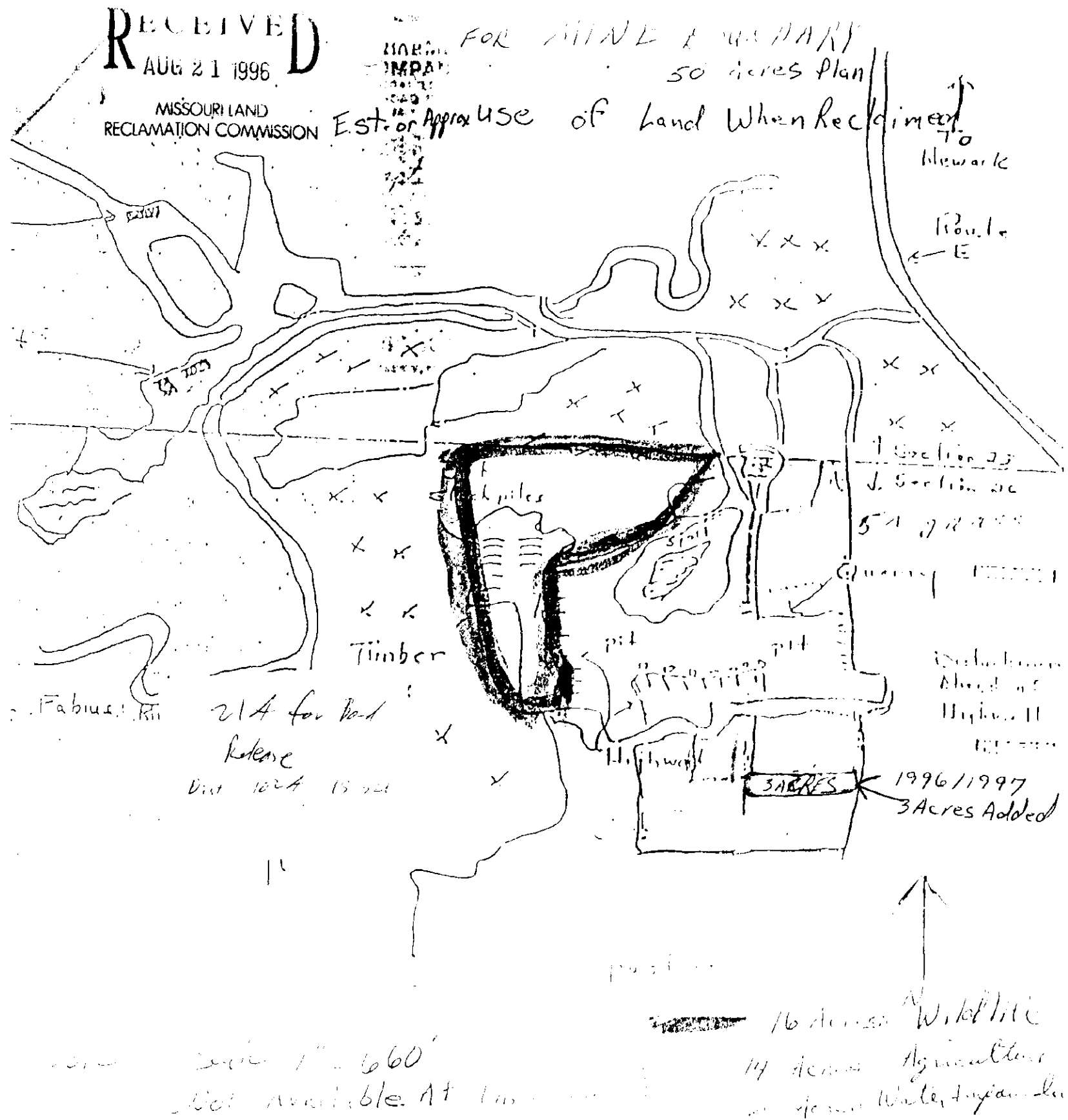
1. All statements made on this Mine Plan Form are correct, complete, and true, to the best of my knowledge.
2. I or the company I am authorized to represent intend(s) to mine in accordance with this Mine Plan Form, and in accordance with the Missouri Land Reclamation Act, Sections 444.760 through 444.789, RSMo and all rules, regulations, orders, decisions and permits of the Missouri Land Reclamation Commission pertaining to my company's surface mining operations.
3. I have obtained the approval of all landowner's for all proposed post-reclamation land uses.
4. I have a valid agreement with all landowners which gives me the right to grant access to the Director of the Missouri Land Reclamation Commission and his authorized representatives, and I grant such access, and further where I have no such right, I have attached signed affidavits from the landowners, granting such access.

SIGNATURE OF APPLICANT <i>Doug Kelly</i>		TITLE <i>VP</i>	DATE <i>2-2-98</i>
NOTARY PUBLIC EMBOSSED SEAL	STATE <i>Missouri</i>	COUNTY (OR CITY OF ST. LOUIS)	
SUBSCRIBED AND SWORN BEFORE ME THIS <i>2nd</i> DAY OF <i>Feb</i> 19 <i>98</i>		USE RUBBER STAMP IN CLEAR AREA BELOW	
NOTARY PUBLIC SIGNATURE <i>Sandra L. Devlin</i>		MY COMMISSION EXPIRES	SANDRA L. DEVLIN NOTARY PUBLIC STATE OF MISSOURI COUNTY OF KNOX MY COMMISSION EXPIRES DEC. 9, 1999
NOTARY PUBLIC NAME (TYPED OR PRINTED)			
APPROVED BY (DIRECTOR'S REPRESENTATIVE) <i>Markin White</i>		DATE APPROVED <i>3/11/98</i>	PERMIT NUMBER <i>169</i>

Map 2001 Kelly Lime + Rock Co, Inc
From C.M. Johnston Family



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Kelly LIME + Rock Company, Newark MO
Knox County, S-23+26, T-60N, R-10-W

1" = 2000'

